

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CATCH A WAVE TECHNOLOGIES, INC.,

Plaintiff,

v.

SIRIUS XM RADIO, INC.,

Defendant.

No. C 12-05791 WHA

**ORDER RE MOTION TO EXPEDITE  
BRIEFING SCHEDULE FOR  
MOTION FOR LEAVE TO AMEND  
INFRINGEMENT CONTENTIONS  
AND CASE SCHEDULE**


On December 12, defendant filed a motion for leave to supplement invalidity contentions, noticed for January 16. On January 3, plaintiff filed a motion for leave to amend infringement contentions and modify the scheduling order. Currently, fact discovery closes on January 31. Trial is scheduled to begin May 19 (Dkt. No. 46). Plaintiff proposes extending the close of fact discovery deadline to “February 21, 2014 for discovery specifically related to the Onyx Plus, all other discovery must still be completed by January 31, 2014.” Plaintiff also proposes extending the expert report, dispositive motion, and expert discovery deadlines. No changes to the pretrial conference and trial dates are proposed.

Plaintiff has filed a motion to expedite the briefing schedule on its motion for leave to amend its infringement contentions and modify the scheduling order (Dkt. No. 69). Plaintiff proposes the following schedule: the opposition is due January 10, the reply is due January 13, and the motion can be heard on January 16 with defendant’s motion. On January 7, defendant filed a statement of nonopposition to plaintiff’s motion to expedite briefing.

1 The following briefing schedule is hereby ordered: the opposition to plaintiff's motion  
2 (not to exceed **TEN PAGES**) is due **JANUARY 10 AT 8:00 P.M.** and the reply (not to exceed **FOUR**  
3 **PAGES**) is due **JANUARY 13 AT NOON**. The hearing date is set for **JANUARY 16 AT 8:00 A.M.** All  
4 papers should be filed electronically and delivered via same-day delivery.

5  
6 **IT IS SO ORDERED.**

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8 Dated: January 8, 2014.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE